

# State of South Dakota

SEVENTY-SECOND SESSION  
LEGISLATIVE ASSEMBLY, 1997

239A0491

## HOUSE ENGROSSED NO. **HB1102** - 2/4/97

Introduced by: Representatives Hagg, Broderick, Cutler, DeMersseman, Fischer-Clemens, Koetzle, Madden, Matthews, Pederson (Gordon), Peterson (Bill), Schaunaman, and Windhorst and Senators Everist, Aker, Hutmacher, Lawler, Olson, Paisley, Rounds, Shoener, Staggers, and Whiting

1 FOR AN ACT ENTITLED, An Act to authorize additional off-sale retail liquor licenses in  
2 certain municipalities of the first class.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 35-4-4 be amended to read as follows:

5 35-4-4. No person, corporation, or business entity may ~~be the holder of~~ hold or have an  
6 interest in more than three retail licenses issued under subdivisions 35-4-2(3), (4), (6), or (13).  
7 However, a person, corporation, or business entity may hold or have an interest in three  
8 additional retail licenses issued under subdivision 35-4-2(4) if the licensee derives more than fifty  
9 percent of the licensee's annual gross receipts from the sale of food at the location where the  
10 license is held and if the location is in a municipality of the first class. Any person, corporation,  
11 or business entity may hold or have an interest in additional retail licenses issued under  
12 subdivision 35-4-2(3) in municipalities of the first class whose populations are greater than ten  
13 thousand, if the licensee derives less than fifty percent of the licensee's annual gross receipts from  
14 the sale of alcoholic beverages at the location where the license is held. For purposes of this

- 1 section, location means one contiguous piece of real estate on which sales are generated by the
- 2 licensee.

1    **BILL HISTORY**

2    January 27 - First read in House and referred to State Affairs. H.J. 153

3    January 31 - Scheduled for hearing.

4    January 31 - Passed, AYES 10, NAYS 2. H.J. 234

5    February 3 - Second reading House. H.J. 277

6    February 3 - Passed as amended, AYES 60, NAYS 10. H.J. 277